

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
BETTER HOLDCO, INC.,

Plaintiff,

-against-

SARAH PIERCE,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 01/05/2024

22 Civ. 9580 (AT)

JUDGMENT

WHEREAS the Court granted Plaintiff's motion for summary judgment, ECF No. 21, and


WHEREAS the Court ordered Defendant to satisfy two partial recourse promissory notes (the "Notes"), *see* ECF No. 14-1 at 3–10 and 14-2 at 3–10,

It is hereby ORDERED, ADJUDGED, and DECREED that judgment is entered in favor of Plaintiff and against Defendant as follows:

1. Plaintiff is awarded \$2,277,000 in unpaid principal;
2. Plaintiff is awarded interest until the date of repayment as follows:
 - a. \$16,125.87 for the period between January 25, 2021 and the June 5, 2022 default (the "Default Date"), calculated at 0.52% compounded semiannually;
 - b. \$466,926.06 for the period between the Default Date and January 5, 2024, calculated at 25% interest per annum on the sum of \$1,177,395.87, which reflects (a) 51% of the unpaid principal and (b) the pre-default interest; and
 - c. Additional interest accruing until the date of repayment, calculated at 25% interest per annum on the sum of \$1,177,395.87;
3. Plaintiff is awarded costs and reasonable attorneys' fees arising out of the proceeding to be determined following briefing by the parties pursuant to the Court's order, *see* ECF No. 21;

4. Defendant is permitted to satisfy this judgment in one of two ways, as set forth below:
 - a. Defendant may pay Plaintiff \$2,277,000 in unpaid principal, and \$483,051.93 in unpaid interest, plus additional interest through the date of repayment, and reasonable costs and attorney's fees; or
 - b. Defendant may:
 - i. Return to Plaintiff 220,500 unvested shares (or 49% of the shares purchased using the Notes, the equivalent of \$1,115,730); and
 - ii. Pay to Plaintiff the remaining \$1,161,270 in unpaid principal, \$483,051.93 in unpaid interest, plus additional interest through the date of repayment, and reasonable costs and attorney's fees.
5. Plaintiff shall only collect on the judgment in accordance with the terms of the Notes, shall not refuse to accept the 220,500 unvested shares, and shall not insist upon full payment of the judgment in currency.

Dated: January 5, 2024
New York, New York



ANALISA TORRES
United States District Judge